

Serial No: 09/659,653

Attorney Docket No.: 1999-0541

REMARKS

In an advisory action dated 11/18/04, the Examiner maintained his prior rejection. Applicants continue to disagree with the Examiner's position, for the reasons set forth in applicant's Response to Final Office Action dated 10/15/04. In addition, applicants disagree with the position set forth in the advisory action relative to the "same message field" recitation in applicants' claims. Applicants understand from the advisory action—as well as from a telephone conversation with Examiner Yun in late November, 2004—that it is the examiner's position that if the text message and the handwritten message image are sent in the same email communication, then it can be said that those two elements of the message are in the "same message field," even though the handwritten message image is sent as an email attachment. Applicants disagree with that position, as well, because in the ordinary usage in the art of the term "message field," an attachment is in a different message field from the main text portion of the message. This is made clear by the Attachments that accompanied applicants' Response of 10/15/04.

Notwithstanding the foregoing, applicants have now amended both of the independent claims in the application—claims 1 and 15—to specifically exclude the possibility of the handwritten message image being sent as an attachment. In particular, each of these claims includes the following limitation: "the handwritten message image being not in an email attachment." Support for this limitation can be found, for example, at page 14, lines 10-12, of the specification which states:

The actual handwritten image message may be integral to the message field or an attachment to the email.

The specification thus clearly discloses that one possible embodiment involves the handwritten portion of the message not being in an email attachment.

It is recognized that the application is under final rejection and that the present amendment is not enterable as a matter of right. However, it is believed that the present amendment puts the application in condition for allowance and therefore it is respectfully requested that this amendment be entered. Indeed, in a telephone conversation with the undersigned on 12/09/04, Examiner Yun was understood to indicate that he would be favorably disposed to consider just such an amendment to the claims.

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Other amendments have been made to claim 15 to correct minor errors, as will be apparent from the amendments themselves. It is submitted that these amendments (other than the limitation discussed above and appearing at line 11 of claim 15) do not in any way change the scope or meaning of the claim.

Applicants do not intend the present amendment to be taken as an admission or agreement as to any unpatentability of the claims in the form presented prior to this amendment. Applicants reserve their right to pursue such claims—or claims directed to other disclosed aspects of the invention—in a continuing application.

In view of the foregoing, it is submitted that applicants' independent claims 1 and 15, as amended—and thus each of applicants' dependent claims as well—distinguish the invention from the prior art. Reconsideration is requested and allowance of the application is earnestly solicited.

Respectfully submitted,

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